

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSEPH SCOTT SHERRILL, et al.,

Plaintiffs,

-vs-

Case No. 04-72949
Hon: AVERN COHN

FEDERAL-MOGUL CORPORATION
RETIREMENT PROGRAMS COMMITTEE,
et al.,

Defendants.

_____ /

SCHEDULING ORDER

1. This is a case under the Employment Retirement Income Security Act. On February 9, 2006, the Court denied defendants' motion to dismiss, and on March 17, 2006 the Court held a status conference following up on footnote 22 of its February 9, 2006 decision.

2. Defendants represent they will be filing a motion for summary judgment.

3. Plaintiffs ask for discovery prior to having to respond to the motion.

Accordingly, plaintiffs shall, within twenty-one (21) days, file a discovery plan detailing required depositions, requests for documents, and proposed interrogatories, etc.

4. The Court will hold a status conference to consider the discovery plan on FRIDAY, APRIL 21, 2006 at 2:00pm.

5. This order is entered without prejudice to defendants' filing motions for summary judgment.

6. Plaintiffs shall not be required to respond to the motions for summary judgment until discovery is completed, unless otherwise ordered.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: March 20, 2006

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 20, 2006, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager
(313) 234-5160